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DAVIS & BUJOLD, PLLC

001

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## FAX TRANSMISSION SHEET

TO: Examiner Dirk Wright FAX #: 703-872-9306  
COMPANY: USPTO  
ADDRESS: \_\_\_\_\_

FROM: Davis + Bujold, PLLC NO. OF PAGES: 8  
DATE: 5-24-05 TIME: \_\_\_\_\_

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REMARKS: Attached, please find a copy of the  
Response mailed 1-7-05. Also attached is  
a copy of the post card stamped by  
the USPTO. Thank you.

1 pg. fax cover sheet  
1 pg. copy of returned post card  
1 pg. copy of post card  
1 pg. Transmittal  
2 pg. response  
2 pg. copy of original patent

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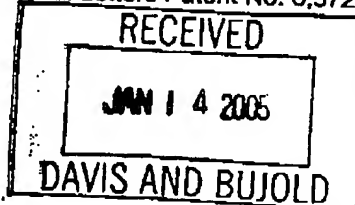
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002

In re Appln. of: Bülent KORKMAZ, Walter KUHN, Hans-Jörg DOMIAN,  
Bernhard DRERUP and Gerhard GUMPOLTSBERGER  
Serial No.: 10/782,749  
Filed: February 19, 2004 2000  
For: AUTOMATIC TRANSMISSION FOR MOTOR VEHICLES  
Group Art Unit: 3681  
Examiner: Dirk WRIGHT  
Docket: ZAHFRI P369USRŁ

RECEIVED: Transmittal;  
Response-2 pgs.;  
Original Letters Patent No. 6,572,507

lfb: 01/07/05



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003

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RECEIVED: Transmittal;  
Response-2 pgs.;  
Original Letters Patent No. 6,572,507 B1

lfb: 01/07/05

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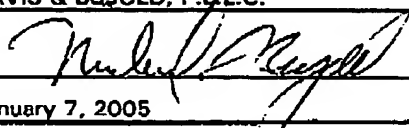
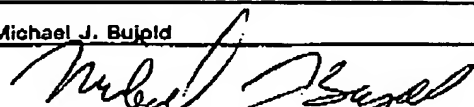
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PTO/SB/21 (12-97)

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|--|--|---|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i>   | Application Number   | 09/936,477  |
|  | Filing Date  | with an effective filing date of March 16, 2000   |
|  | First Named Inventor   | Bulent KORKMAZ et al.   |
|  | Group Art Unit   | 3681  |
|  | Examiner Name  | Dirk WRIGHT   |
| Total No. of Pages in this Submission: 3   | Attorney Docket Number   | ZAHFR1 P369USRE   |
| ENCLOSURES (check all that apply)  |  |   |
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee attached<br><input checked="" type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Part/s Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> To Convert a Provisional Petition<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):<br>Postcard<br>Orig. Letters Pat. No. 6,572,507 B1 |
| REMARKS  |  |   |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT   |  |   |
| Firm or Individual Name  | Michael J. Bujold<br>DAVIS & BUJOLD, P.L.L.C.  |   |
| Signature  |   |   |
| Date   | January 7, 2005  |   |
| CERTIFICATE OF MAILING   |  |   |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 7, 2005  |  |   |
| Type or printed name.  | Michael J. Bujold  |   |
| Signature  |   |   |
|  | Date: January 7, 2005  |   |

MAY 24 2005

01/7/05

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Bülent KORKMAZ, Walter KUHN, Hans-Jörg  
DOMIAN, Bernhard DRERUP and Gerhard  
GUMPOLTSBERGER  
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VEHICLES  
Group Art Unit : 3681  
Examiner : Dirk Wright  
Docket : ZAHFRI P369US R&

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## RESPONSE

Dear Sir:

The following Response is submitted in reply to the Official Action of December 7, 2004.

## REMARKS

The following Response is submitted in reply to the Official Action of December 7, 2004 following the telephone discussion between Gary Clapp and the Examiner on December 20, 2004 regarding the applicability of the cited prior art references in light of the claimed priority date of the present Reissue Application.

Claims 1-13 and 22-33 are presently pending in the Reissue Application and the Examiner stated in the Official Action that claims 8-13 are allowed, claims 2, 28, 29 and 32 are objected to but would be allowable if rewritten in independent form, and claims 1, 3-7, 22-27, 30, 31 and 33 are rejected, under 35 U.S.C. 102, over either or both of EP '006 and Mrtyka '370. The Applicant acknowledges and respectfully traverses the raised anticipatory rejections in view of the following remarks.

As discussed with the Examiner on December 20<sup>th</sup>, the Applicant believes that while the references cited in rejection of claims 1, 3-7, 22-27, 30, 31 and 33, that is, EP '006 and Mrtyka '370, are pertinent to the present invention, neither EP '006 nor Mrtyka '370 is a valid prior art reference, under 35 U.S.C. § 102, as the effective dates of both references is well after the March 16, 2000 effective filing date and the March 22, 1999 priority date claimed from corresponding German Application No. DE 199 12 480. That is, the earliest effective date for Mrtyka '370 is believed to be only December 16, 2002 while the earliest effective date for EP '006 is believed to be only December 11, 2002, both of which are later than the March 16, 2000 effective filing date of the above identified application.